

03-23-01

A

03/22/01

Express Mail Label No. EL702181208US

UTILITY PATENT APPLICATION TRANSMITTAL

(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
41890-01470

Total Pages in this Submission
205

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231



25231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

ELECTROCATALYST POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME

and invented by:

Mark J. Hampden-Smith of 2901 Maximillian NW, Albuquerque., NM 87104; Toivo T. Kudas of 11102 San Rafael Dr. NE, Albuquerque, NM 87122; Plamen Atanasov of 8309 Tierra Serena Pl. NE, Albuquerque., NM 87122; Klaus Kunze of 800 Oro Real Dr. NE, Albuquerque, NM 87123; Paul Napolitano of 5204 Wyoming Blvd. NE, Apt. A18, Albuquerque, NM 87111; Rimple Bhatia of 7204 Chickadee Ln NE, Albuquerque NM 87109, (CONTINUED)

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/532,917

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

1. ☐ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 143 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
41890-01470

Total Pages in this Submission
205

Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☒ Informal Number of Sheets 57
4. ☐ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☐ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL702181208US

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
41890-01470

Total Pages in this Submission
205

Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☐ Additional Enclosures *(please identify below):*

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
41890-01470

Total Pages in this Submission
205

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims		- 20 =	0	x \$18.00	\$0.00
Indep. Claims		- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$710.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
 - ☐ Credit any overpayment.
 - ☐ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

David F. Dockery
Registration No. 34,323
MARHS FISCHMANN & BREYFOGLE LLP
3151 S. Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Dated: 03/22/01

CC:

CERTIFICATE OF MAIL BY "EXPRESS MAIL" (37 CFRApplicant(s): **HAMPDEN-SMITH et al.**

Docket No.

41890-01470

Serial No.

Not Yet Assigned

Filing Date

March 22, 2001

Examiner

Not Yet Assigned

Group Art Unit

Not Yet Assigned

Invention: **ELECTROCATALYST POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES
FABRICATED FROM SAME**

11017 U.S. PRO
09/815380

03/22/01

I hereby certify that this Utility Patent App. Transmittal Sheet (CIP); Patent App.; Drawings (57 sheets)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

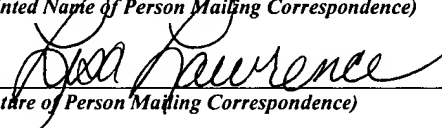
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

on March 22, 2001

(Date)

Lisa Lawrence

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)EL702181208US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.